

9

Court of Appeals, State of Michigan

ORDER

People of MI v Dennis Wade Hodges

Jane E. Markey
Presiding Judge

Docket No. 296326

David H. Sawyer

LC No. 08-003957-FC

Jane M. Beckering
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the March 27, 2009 judgment of sentence is VACATED and the matter is remanded to the Otsego Circuit Court for resentencing. *People v Francisco*, 474 Mich 82; 711 NW2d 44 (2006). The trial court scored PRV 2 and OV 13 based on inaccurate information. Defendant has one prior conviction for attempted home invasion (2nd), and not two such convictions. In addition to resentencing defendant, the trial court shall correct the presentence investigation report to accurately reflect defendant's criminal history and transmit a copy of the corrected PSIR to the Department of Corrections. *People v Lloyd*, 284 Mich App 703; 774 NW2d 347 (2009). This order has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 15 2010

Date

Sandra Schultz Mengel
Chief Clerk